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SEP 12 2013

**ORDINANCE NO. 4439**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING CHAPTER 2 OF THE CHANDLER CITY CODE BY ADDING A NEW SECTION 2-17, RELATING TO THE ESTABLISHMENT AND MODIFICATION OF FEES AND RATES.**

BE IT ORDAINED by the City Council of the City of Chandler, Arizona, that the Chandler City Code is hereby amended by adding the following new section to Chapter 2:

**2-17. The Establishment and Modification of Fees and Rates.**

- A. The establishment of any fees or rates and the setting or modification of amounts to be charged, assessed, levied or otherwise imposed by the City of Chandler pursuant to this Code or pursuant to any ordinance, resolution, city-wide administrative regulation or department regulation, policy or practice, shall be approved by the City Council upon adoption of a resolution or ordinance. Any fee or rate so established shall remain in effect unless and until modified, amended or revised through the approval by the City Council upon adoption of a resolution or ordinance.
- B. Fees and rates shall be reviewed at least annually in order that any fees or rates to be established, modified, amended or revised shall be effective on such date as stated by the City Council in the approving resolution or ordinance.
- C. The process for establishing fees and rates and the setting or modification of amounts to be charged, assessed, levied or otherwise imposed by the City of Chandler shall be as follows:
  - 1. The Management Services Director, or such other person as the City Manager may designate, shall initiate the process through the following steps:
    - a. Prepare a schedule of proposed fees and rates and their amounts and/or a written report or data supporting the proposed new and/or modified fees and rates.
    - b. Prepare and submit to the City Clerk a web notice of all fees and rates to be considered for establishment or modification by the City Council.
      - i. The City Clerk shall post the web notice on the City of Chandler website no less than sixty (60) days prior to the date scheduled for City Council consideration.
    - c. Prepare a Notice of Intent to Establish or Modify Fees and Rates. The Notice shall include the date, time and place of the Council Meeting when it will be considered, and a statement that the schedule of proposed fees and rates and their amounts and/or a written report or data supporting the proposed new and/or modified fees and rates can be found on the City of Chandler's website.

- i. The City Clerk shall, not less than fifteen (15) days prior to the Council meeting, post said Notice of Intent to the City's website and official posting board, and publish it in a newspaper of general circulation within Chandler city limits.
    - d. Notify the City's Communication and Public Affairs Department to distribute the Notice of Intent through social media and other standard electronic communication tools. For the purpose of this ordinance social media and other standard electronic communication tools shall be defined as that which is generally used and accepted by the City of Chandler.
    - e. A technological problem or failure that either prevents the posting of the public notice on the website or on other social media, or that prevents the use of the website or other social media shall not preclude the holding of the public meeting.
  2. A resolution or ordinance to establish, modify, amend or revise fees and rates shall be placed on the City Council meeting agenda as an Action Item for the date identified in the Notice of Intent.
- D. All City of Chandler Boards authorized to establish any fees or rates and set or modify amounts to be charged, assessed, levied or otherwise imposed by the City of Chandler pursuant to the City Code shall follow the sixty (60) and fifteen (15) day posting, publishing, and social media distribution requirements prior to the date scheduled for the boards consideration of fees and rates as set forth in this Section.
- E. The procedures set forth in this Section shall not apply to the following fees and rates, except that notice shall be posted on the City's website and through social media by the City Clerk when information is made available:
1. Water and wastewater rates, or rate components as set out in Chapter 50 of the City Code and/or adopted pursuant to procedures required by state law,
  2. Development fees and charges as set out in Chapter 38 of the City Code and/or adopted pursuant to procedures required by state law,
  3. Court fees established under Chapter 25 of the City Code or as otherwise established pursuant to state law,
  4. Fees or charges established in accordance with amounts set or procedures established by federal law or regulations in connection with the public housing or federally-funded assistance programs,
  5. Any other applicable fees whose amounts are set by applicable state or federal law, and
  6. Fees for registration based classes, programs and activities provided by the City.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

#### CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4439 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

Approved as to form:

\_\_\_\_\_  
CITY ATTORNEY *CAB*